

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
BOSTON DIVISION

ROBERT VON SMITH,
TERRY HOPE,
RAMEZ TOHME,
MATTHEW PITTARD,
MATTHEW ALLENDE, and
JASON MOLLENBRINK,

Plaintiffs,

v.

HE SHEIKH KHALID BIN HAMAD BIN
KHALIFA AL THANI, *et al.*,

Defendants.

Civil Action No.: 1:20-cv-11143-DLC

**DEFENDANT KHALID BIN HAMAD BIN KHALIFA AL THANI'S MOTION TO
DISMISS THE COMPLAINT FOR IMPROPER SERVICE (OR TO QUASH SERVICE),
LACK OF PERSONAL JURISDICTION AND FAILURE TO STATE A CLAIM AND,
ALTERNATIVELY, MOTION FOR MORE DEFINITE STATEMENT**

Pursuant to Federal Rule of Civil Procedure 12(b)(6), Defendant Khalid Bin Hamad Bin Khalifa Al Thani, (“Mr. Al-Thani”), hereby moves to dismiss all claims against him. The grounds for this motion, which are explained in detail in the accompanying Memorandum of Law in support thereof, include that the Complaint fails to state a claim as a matter of law and fails to meet the governing pleading standards.¹ Alternatively, Mr. Al-Thani requests a more definite statement pursuant to Federal Rule of Civil Procedure 12(e).

Additionally, Mr. Al-Thani moves to dismiss the Complaint pursuant to Federal Rule of Civil Procedure 12(b)(5) for improper service, as service in this case was not effected pursuant to

¹ On August 3, 2020, Mr. Al-Thani filed a motion for leave to file memoranda in excess of the twenty-page limit set forth in Local Rule 7.1(b)(4). Dkt. 42. On August 10, 2020, the Court granted leave. Dkt. 46. The Memorandum of Law submitted herewith is within the thirty-page limit set by the Court.

any internationally agreed upon means of service, nor was Mr. Al-Thani (or his registered agent) served with the Summons and Complaint.

Finally, Mr. Al-Thani moves to dismiss the Complaint pursuant to Federal Rule of Civil Procedure 12(b)(2) for lack of personal jurisdiction because none of Plaintiffs' claims arise out of Mr. Al-Thani's limited contacts with Massachusetts.

WHEREFORE, for these reasons and the reasons set forth in the accompanying Memorandum of Law, Mr. Al-Thani respectfully requests that the Court:

1. Enter an order dismissing all claims against Mr. Al-Thani with prejudice; and
2. Award any other relief that is fair and just.

RULE 7.1(A)(2) CERTIFICATE

Counsel for Defendant Khalid Bin Hamad Bin Khalifa Al Thani hereby certify that they have conferred with counsel for the Plaintiffs, who did not assent to the relief sought in this Motion.

Respectfully submitted,

KHALID BIN HAMAD BIN KHALIFA AL THANI

By his attorneys,

/s/ Richard Champagne
Richard T. Champagne, BBO# 682955
Champagne Law Group, P.A.
Braintree Quincy Center
859 Willard Street Suite 400
Quincy, MA 02169
Ph: 617-273-2464
rchampagne@champlawgroup.com

/s/ Alejandro O. Soto
Alejandro O. Soto, Fla. Bar #0172847
Fridman Fels & Soto, PLLC
2525 Ponce de Leon Blvd., Suite 750
Coral Gables, FL 33134

Ph: 305-569-7707
asoto@ffslawfirm.com
Admitted pro hac vice

Dated: August 17, 2020

CERTIFICATE OF SERVICE

I, Richard Champagne, counsel for Defendant Khalid Bin Hamad Bin Khalifa Al Thani, in the above-referenced matter, hereby certify that on August 17, 2020, I electronically filed the foregoing *Motion to Dismiss the Complaint for Improper Service, Lack of Personal Jurisdiction and Failure to State a Claim, and, Alternatively, Motion for More Definite Statement* with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the parties of record.

/s/ Richard Champagne
Richard T. Champagne